

**- 38 -**  
**REGULAR MEETING**  
**CITY COUNCIL**  
**MAY 1, 2003**

**ROLL CALL:**

MR. WOJCIK, MR. FOY, MR. JUDGE, MR. DORAN, MRS. WELCOME, MRS. COLLIER, MR. LaPOSTA, MR. ARMET, PRESIDENT TUTUNJIAN

**PUBLIC FORUM:** List of Speakers on file

**ORDINANCE NO. 1**

**INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN**

**SECONDED BY: COUNCIL MEMBER JUDGE**

**ORDINANCE DETERMINING THAT THE PAVING, GRADING, REPAIRING, RECONSTRUCTION  
AND RESURFACING OF CERTAIN PUBLIC STREETS CONSTITUTE A PUBLIC IMPROVEMENT  
PURSUANT TO SECTIONS 9.02 AND 9.03 OF THE CITY CHARTER**

The City of Troy, convened in City Council, ordains as follows:

Section 1. Pursuant to Section 9.02 and 9.03 of the City Charter, the paving, grading, repair, reconstruction and resurfacing of streets described in Schedule "A" entitled:

"CITY OF TROY, NEW YORK  
2003 PUBLIC IMPROVEMENT PROGRAM"

which is attached hereto and made a part hereof, are hereby determined to be public improvements. Such improvements shall constitute a City expense.

Section 2. This act shall take effect immediately.

Approved as to form March 11, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 1 PASSED – UNANIMOUS**

**To Mayor, 5/2/03 for Executive Action – Approved, Returned 5/16/03**

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**ORDINANCE NO. 2**

**INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN**

**SECONDED BY: COUNCIL MEMBER JUDGE**

**ORDINANCE AUTHORIZING AND DIRECTING THE CITY PURCHASING AGENT OR A  
DESIGNEE TO SELL BICYCLES IN THE CUSTODY OF THE TROY POLICE PROPERTY CLERK  
AT PUBLIC AUCTION**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. Pursuant to Section 5.50 of the City Charter, the bicycles in the custody of the Troy Police Department property clerk, listed on the attached Schedule A are herein declared to be surplus and the City Purchasing Agent or a designee, is hereby authorized and directed to sell said bicycles at public auction to the highest bidder or bidders.

Section 2. The said bicycles shall be sold "as is" for the highest bid price and on such additional terms and conditions as shall be set by the City Comptroller.

Section 3. If no bidder or bidders are interested in any or all of said property, the City Comptroller is hereby authorized to dispose of any such item.

Section 4. Said auction shall be held at a date and time to be set by the City Comptroller.

Approved as to form, April 9, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 2 PASSED – UNANIMOUS**

**To Mayor, 5/2/03 for Executive Action – Approved, Returned 5/16/03**

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**- 39 -**  
**REGULAR MEETING**  
**CITY COUNCIL**  
**MAY 1, 2003**

**ORDINANCE NO. 3**

**INTRODUCED BY: COUNCIL MEMBERS TUTUNJIAN & WOJCIK**

**SECONDED BY: COUNCIL MEMBER FOY**

**ORDINANCE AUTHORIZING SETTLEMENT OF CLAIM AGAINST CITY OF TROY – VIRGINIA PROFFITT**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City Council of the City of Troy, New York hereby approves the following claim against the City of Troy in the amount indicated:

“VIRGINIA PROFFITT IN THE AMOUNT OF  
ONE THOUSAND FIVE HUNDRED SIXTY-FIVE  
AND 41/100 DOLLARS (\$1,565.41)”

Section 2. The above compromise is approved and ratified in accordance with Local Law No. 1 for the year 1964.

Section 3. The Comptroller be and hereby is authorized and directed to make, issue and countersign a draft as outlined above, said sum to be payable out of the Judgments and Claims Account.

Approved as to form, April 11, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 3 PASSED – UNANIMOUS**

**To Mayor, 5/2/03 for Executive Action – Approved, Returned 5/16/03**

**SEE SUPPORT DOCUMENTATION WITH LEGISLATION**

**ORDINANCE NO. 4**

**INTRODUCED BY: COUNCIL MEMBERS WOJCIK AND collier**

**SECONDED BY: COUNCIL MEMBER FOY**

**AMENDED ORDINANCE AMENDING THE TROY CODE OF ORDINANCES REGARDING  
GARBAGE CONTAINERS**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The Troy Code of Ordinances is herein amended as follows:

Sec. 14-21. Duties of owners and occupants.

- (a) the owner or occupant of any lot, store, building or house in said city who may desire that any of the solid wastes covered by the provisions of this chapter should be removed by the department of public works, or by a contractor engaged by the city or by scavengers employed by individual owners, from the premises owned or occupied by him, ~~shall deposit the same in the case of garbage or moist or liquid waste, in water tight wooden, plastic, or metal covered containers or heavy duty plastic bags tied at the top, or specially treated paper bags; in the case of ashes or dry waste or rubbish in either a wooden, plastic, or metal covered container, or heavy duty plastic bags tied at the top or specially treated paper bags.~~ shall secure the same in heavy duty plastic bags tied at the top, or specially treated paper bags and deposit same, in the case of garbage or moist or liquid waste, in water tight, covered wooden, plastic or metal containers and , in the case of ashes or dry waste or rubbish in covered plastic or metal containers.

Section 2. This ordinance shall be placed on the Council’s regular monthly agenda for May 2004 to review its effect.

Section 3. This ordinance shall be effective June 1, 2003.

Approved as to form, May 2, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 4 PASSED – UNANIMOUS**

**To Mayor, 5/2/03 for Executive Action – Approved, Returned 5/16/03**

**SEE SUPPORT DOCUMENTATION WITH LEGISLATION**

**- 40 -**  
**REGULAR MEETING**  
**CITY COUNCIL**  
**MAY 1, 2003**

**ORDINANCE NO. 5**

**INTRODUCED BY: COUNCIL MEMBERS TUTUNJIAN & JUDGE**

**SECONDED BY: COUNCIL MEMBER LAPOSTA**

**ORDINANCE TRANSFERRING FUNDS TO SUPPORT THE CREATION OF TWO POSITIONS IN  
THE BUREAU OF ENGINEERING**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City's 2003 General Fund Budget is hereby amended to provide for the transfer of funds as provided in Schedule "A" entitled:

"2003 General Fund Budget Amendment  
Department of Public Works – Engineering"

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, March 13, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 5 PASSED – UNANIMOUS**

**To Mayor, 5/2/03 for Executive Action – Approved, Returned 5/16/03**

**SCHEDULE "A" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION**

**ORDINANCE NO. 6**

**INTRODUCED BY: COUNCIL MEMBERS TUTUNJIAN & JUDGE**

**SECONDED BY: COUNCIL MEMBER FOY**

**AMENDED ORDINANCE ABANDONING THE COMPOST FACILITY CAPITAL PROJECT AND  
TRANSFERRING THE REMAINING FUNDS IN THE CAPITAL ACCOUNT TO SUPPORT A CITY  
STRIKE FORCE CLEAN UP PROGRAM**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City's Compost Facility Capital Project is herein abandoned and the remaining funds from Capital Account – Facilities Compost Facility H1998 – 368D is herein transferred to support the City Strike Force Clean up Program as provided in Schedule "A(#1, #2, and #3)" entitled:

"Strike Force Project"

which is attached hereto and made a part hereof

Section 2. The Mayor shall issue a report on the effect of the City Strike Force Clean up Program for review and discussion by the Council at its October 2003 regular monthly meeting.

Section 3. This act will take effect immediately.

Approved as to form, May 2, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 6 PASSED – UNANIMOUS**

**To Mayor, 5/2/03 for Executive Action – Approved, Returned 5/16/03**

**SCHEDULE "A 1-4" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION**

**ORDINANCE NO. 7**

**INTRODUCED BY: COUNCIL MEMBER TUTUNJIAN**

**SECONDED BY: COUNCIL MEMBER WELCOME**

**ORDINANCE AMENDING THE 1996, 1998, 1999, 2000, AND 2001 COMMUNITY DEVELOPMENT  
BLOCK GRANT SPECIAL REVENUE ACCOUNTS**

The City of Troy, in City Council, convened, ordains as follows:

**- 41 -**  
**REGULAR MEETING**  
**CITY COUNCIL**  
**MAY 1, 2003**

Section 1. The 1996, 1998, 1999, 2000 and 2001 City Community Development Block Grant Special Revenue Accounts are hereby amended to provide for the transfer of funds as provided in Schedule "A" attached hereto.

**ORDINANCE NO. 7 PASSED – UNANIMOUS**

**To Mayor, 5/2/03 for Executive Action – Approved, Returned 5/16/03**

**SCHEDULE "A" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION**

**ORDINANCE NO. 8**

**INTRODUCED BY: COUNCIL MEMBER LAPOSTA**

**SECONDED BY: COUNCIL MEMBER JUDGE**

**ORDINANCE AMENDING THE 2003 CITY BUDGET TO SUPPORT ADVERTISING FOR FREAR PARK GOLF COURSE**

The City of Troy, in City Council, convened ordains as follows:

Section 1. The City's 2003 General Fund Budget is hereby amended to provide for the transfer of funds as provided in Schedule "A" entitled:

"Golf Cart Advertisements"

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, April 23, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 8 PASSED – UNANIMOUS**

**To Mayor, 5/2/03 for Executive Action – Approved, Returned 5/16/03**

**SCHEDULE "A" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION**

**ORDINANCE NO. 9**

**INTRODUCED BY: COUNCIL MEMBERS TUTUNJIAN & WOJCIK**

**SECONDED BY: COUNCIL MEMBER FOY**

**ORDINANCE TRANSFERRING FUNDS TO SUPPORT THE TROY BOULEVARD BEAUTIFICATION PLAN**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City's 2003 General Fund Budget is hereby amended to provide for the transfer of funds as provided in Schedule "A" entitled:

"Troy Boulevard Beautification Plan"

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, May 1, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 9 PASSED – UNANIMOUS**

**To Mayor, 5/2/03 for Executive Action – Approved, Returned 5/16/03**

**SCHEDULE "A" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION**

**RESOLUTION NO. 1**

**INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN**

**SECONDED BY: COUNCIL MEMBER LAPOSTA**

**AMENDED RESOLUTION APPOINTING COMMISSIONERS OF DEEDS**

BE IT RESOLVED, that the City Council hereby appoints the following persons Commissioners of Deeds for the City of Troy for a two year term commencing May 2, 2003 through May 1, 2005:

- 42 -  
**REGULAR MEETING  
CITY COUNCIL  
MAY 1, 2003**

Elizabeth D'Ettorre  
Cynthia DeSormeau  
Sherry Gallo  
Giovanna Lombardi  
Raymond B. Plante, Jr.  
Irene Maguire  
Joseph McInerney  
Lorie Cerulli  
Eugene Eaton  
Susan Cipriani  
Concetta Farano  
Nancy Hart  
Edward McGrath  
Marilyn McGrath  
Sara McGrath  
Erin McGrath  
Kevin McGrath  
V. Donald Cunningham  
Tyrone Tucker  
John Fetcher  
Liz Devane Rienzo  
Anthony Debboli  
Cindy Basset  
Karen A. Bruno  
Daniel Casey  
Rita Hotaling  
Mary K. Cassidy  
Patricia A. Cole  
Donna Ned  
Caroline J. Wilcox  
Lisa Parrattino  
Paul Cole  
John H. Clinton, Jr.  
Laura Bauer  
Raymond J. Quinn  
Mark Popp  
Thomas Lumley  
Jason Kippen  
Robin LaBrake  
Matthew Eaton  
Ronald Bump  
James A. Gray  
Melissa Schmeideshoff  
Thomas M. Green  
Richard Landry  
Frances Kippen  
Joseph Connors  
Elaine McHargue  
Daniel F. Casale  
Michelle I. Nash  
Jon Kover  
Diane Spinelli  
Arthur Judge  
Jane Landry  
Cecilia T. Petrie

2 First St., 2<sup>nd</sup> Floor  
1504 Fifth Avenue  
119 Jefferson Street  
219 Pawling Avenue  
41 Bolivar Avenue  
2805 Fifth Avenue  
2407 Lavin Court  
14 Greene Street  
9 Mason Street  
25 Manor Boulevard  
9 Alber Avenue  
1 McClelland Avenue  
605 Sixth Avenue  
605 Sixth Avenue  
605 Sixth Avenue  
50 – 109<sup>th</sup> Street  
50 – 109<sup>th</sup> Street  
2207 – 14<sup>th</sup> Street  
172 Second Avenue  
2156 5<sup>th</sup> Avenue  
2180 – 14<sup>th</sup> Street  
1451 – 5<sup>th</sup> Avenue  
277 Congress Street  
246 Third Street  
16 Ahern Avenue  
209 Pinewoods Avenue  
1 Sterling Avenue  
2184 – 5<sup>th</sup> Avenue  
43 Wynantskill Way  
557 Hoosick Road  
509 Pawling Avenue  
5 Cypress Street  
256 Washington Street  
20 Hawthorne Avenue  
27 Locust Avenue  
15 Erie Street  
7 Red Rock Road  
18 – 24<sup>th</sup> Street  
1 Grace Court  
9 Mason Avenue  
1 Sherman Avenue  
84 Oakwood Avenue 1R  
1518 Peoples Avenue  
444 Marshland Court  
1508 Park Blvd.  
15 So. Lake Avenue  
15 Stratton Circle  
89 Sixth Avenue  
P.O. Box 333  
392 – 7<sup>th</sup> Avenue  
471 Fulton Street  
2902 – 6<sup>th</sup> Avenue  
436 Taylor Court  
1508 Park Blvd.  
146 Oakwood Avenue

- 43 -  
**REGULAR MEETING  
CITY COUNCIL  
MAY 1, 2003**

Teresa Kippen  
JoAnne Piel  
Arlene Dewan  
Philip Spiack  
James D. Shaughnessy  
Grancine Barna  
Kathleen Eaton  
Phyllis Carroll  
Patrick Finnen  
Vincent LeClair  
Gerald Degnan  
Steven G. Dworsky  
Martin G. Mahar  
Wayne Foy

18 – 24<sup>th</sup> Street  
113 Delaware Avenue  
38 Ballina Street  
15 Mazaway Avenue  
479 – 8<sup>th</sup> Avenue  
38 Sherman Avenue  
9 Mason Street  
22 Carroll Place  
5 Foxford Road  
131 Bedford Street  
17 Fonda Avenue  
206 Third Street  
201 River Street  
170 Seventh Avenue

Approved as to form, May 2, 2003  
Patrick T. Morphy, Corporation Council  
**RESOLUTION NO. 1 PASSED – UNANIMOUS**  
**To Mayor, 5/2/03 for Executive Action – Approved, Returned 5/16/03**  
**SEE SUPPORT DOCUMENTATION WITH LEGISLATION**

**RESOLUTION NO. 2**  
**INTRODUCED BY: COUNCIL MEMBER LAPOSTA**  
**SECONDED BY: COUNCIL MEMBER WELCOME**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ONCART  
ADVERTISING FOR EXCLUSIVE RIGHTS TO PLACE ADS ON THE GOLF CARTS AT FREAR  
PARK**

**WHEREAS**, the City of Troy will realize new revenues by permitting ads on the golf carts at the Frear Park Golf Course;  
and

**WHEREAS**, pursuant to the City of Troy Procurement policy, these services constitute professional services; and

**WHEREAS**, the City put out a general solicitation for anyone interested in submitting a bid; and

**WHEREAS**, Oncart Advertising responded to said solicitation with the highest revenue potential; now therefore,

**BE IT RESOLVED**, that the Mayor, on behalf of the City of Troy, is herein authorized to execute a contract for services with Oncart Advertising to sell advertising space on the fleet of golf carts at the Frear Park Golf Course for a period of three years.

Approved as to form April 23, 2003  
Patrick T. Morphy, Corporation Counsel  
**RESOLUTION NO. 2 PASSED – UNANIMOUS**  
**To Mayor, 5/2/03 for Executive Action – Approved, Returned 5/16/03**  
**SEE SUPPORT DOCUMENTATION WITH LEGISLATION**

**RESOLUTION NO. 3**  
**INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN**  
**SECONDED BY: COUNCIL MEMBER FOY**

**RESOLUTION SUPPORTING THE NOMINATION OF THE FORMER HASKELL SCHOOL, 150  
SIXTH AVENUE, LANSINGBURGH, TO THE NATIONAL REGISTER OF HISTORIC PLACES**

**REGULAR MEETING  
CITY COUNCIL  
MAY 1, 2003**

**Whereas**, the former Haskell School meets the National Register criteria in the areas of architecture and education as a highly intact example of a late 19<sup>th</sup> century school that symbolized the industrial might and educational progressiveness that Lansingburgh then enjoyed, and

**Whereas**, the Renaissance Revival building was designed by Troy architect William H. Demers, who also built many important public buildings and monuments, including the Approach, Watervliet City Hall, the Masonic Temple in Schenectady, the former Beman Park Firehouse and several mansions commissioned by Troy's leading industrialists, and

**Whereas**, the State Review Board, recognizing the former Haskell School as a symbol of Lansingburgh's leadership in such early educational advancements as kindergarten and taxpayer – supported education for all, has already listed the building on the State Register of Historic Places, and

**Whereas**, realizing that the National Register nomination of the former Haskell School is now being determined by the Keeper of the National Register in Washington, D.C., and

**Whereas**, both the Rensselaer County Legislature and the Troy City Council understand that nomination of Haskell School to the State and National Registers make it eligible for certain funding and tax credits, and

**Whereas**, those incentives improve this historic building's chance of successful adaptive use,

**Now Therefore Let it Be Resolved**, that the Troy City Council supports the nomination of the former Haskell School to the National Register of Historic Places.

Approved as to form, April 25, 2003

Patrick T. Morphy, Corporation Counsel

**RESOLUTION NO. 3 PASSED – UNANIMOUS**

**To Mayor, 5/2/03 for Executive Action – Approved, Returned 5/16/03**

**SEE SUPPORT DOCUMENTATION WITH LEGI**